

Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 L-03 OES-07 SS-15 NSCE-00 CIAE-00
INR-10 NSAE-00 INRE-00 EB-08 COME-00 DLOS-09 IO-13
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O 021729Z JUN 78
FM AMEMBASSY OTTAWA
TO SECSTATE WASHDC NIACT IMMEDIATE 7593

C O N F I D E N T I A L OTTAWA 02788

C O R R E C T E D C O P Y - T E X T (P A R A 4 . L I N E 7 , S E C O N D W O R D
T O R E A D C O L U M B I A N V I C E C A N A D I A N)

E.O. 11652: GDS

TAGS: EFIS, CA
SUBJECT: CANADIAN ACTION TO CLOSE FISHERIES/MARITIME
NEGOTIATIONS

1. EXTAFF UNDERSECRETARY GOTLIEB INFORMED AMBASSADOR
AT 10:15 JUNE 2 OF CANADA'S DECISION NOT TO IMPLEMENT
THE INTERIM FISHERIES AGREEMENT, AND TO CLOSE CANADIAN
WATERS TO US FISHERMEN AS OF 1200 JUNE 4. GOTLIEB
HANDED OVER A NOTE, ALONG WITH THE TEXT OF A STATEMENT
TO BE MADE BY EXTAFF MINISTER JAMIESON AT 1200 JUNE 2
(SEPTELS). HE ADDED THAT "FISHERIES EXPERTS" HAD
DETERMINED THAT THE WEEK'S NOTICE REQUESTED BY THE
UNITED STATES WAS NOT NECESSARY, SINCE MOST FISHERMEN
LISTENED TO THE NOTICES TO MARINERS BROADCAST MORNING
AND EVENING DURING WEEKENDS AS WELL AS WEEKDAYS. HOW-
EVER THE CANADIAN WATERS HAVE BEEN INSTRUCTED TO USE
"ENFORCEMENT RESTRAINT" FOR AN ADDITIONAL 24 HOUR
PERIOD ENDING 1200 JUNE 5.

2. AMBASSADOR REPLIED THAT THE US CONSIDERS THE
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CANADIAN ACTION UNJUSTIFIED UNDER THE TERMS OF THE
INTERIM AGREEMENT. MOREOVER, WE BELIEVE IT TO BE
A HIGHLY RISKY ACTION, ONE THAT COULD DEPENDING ON
FISHERMEN'S REACTIONS ON BOTH SIDES OF THE BORDER
MAKE THE LONG TERM NEGOTIATIONS MORE DIFFICULT, OR EVEN
LEAD TO A PERMANENT END OF RECIPROCAL FISHING, WITH
MAJOR ADJUSTMENT COSTS ON BOTH SIDES. HE ASSURED

GOTLIEB THAT US WOULD SEEK TO AVOID ANY ACTION THAT MIGHT AGGRAVATE THE CONFLICT. THE US WILL STATE ITS VIEW OF THE SITUATION IN PUBLIC IN A NON-INFLAMMATORY MANNER.

3. THE AMBASSADOR STATED THAT ALREADY DIFFICULT SITUATION COULD BE MADE UNMANAGEABLE SHOULD CANADIANS SEEK TO PUBLISH THE EXPANDED CLAIM IT HAD GIVEN US IN CONFIDENCE. PER SECSTATE 139009 HE SOUGHT ASSURANCES THAT THE GOC WOULD NOT DO SO DURING ACTIVE CONTINUATION OF THE LONG-TERM NEGOTIATIONS.

4. GOTLIEB AND AMBASSADOR CADIEUX RESPONDED THAT EXTERNAL AFFAIRS WAS AWARE OF THE POTENTIAL PREJUDICE TO THE NEGOTIATIONS PUBLISHING AN EXPANDED CLAIM, BUT WAS UNDER GREAT PRESSURE FROM "OTHER MINISTERIES" TO DO SO. ONE CONSIDERATION FOR THEM WAS THAT PUBLICATION OF AN EXPANDED EAST COAST CLAIM WOULD MAKE IT IMPOSSIBLE TO RESIST BRITISH COLUMBIAN PRESSURE FOR AN EXPANDED WEST COAST CLAIM. IN ORDER TO HELP CONTAIN THE SITUATION, GOTLIEB SUGGESTED (A) THAT THE TWO GOVERNMENTS EXCHANGE NOTES TO THE EFFECT THAT ACTIONS TAKEN TO TERMINATE IMPLEMENTATION OF THE INTERIM AGREEMENT WOULD NOT PREJUDICE UNDERLYING CLAIMS OF EITHER PARTY, AND (B) THAT THE US CONSIDER EXERCISING ENFORCEMENT RESTRAINT IN THE AREA BETWEEN THE EQUIDISTANT LINE AND THE EXPANDED CONFIDENTIAL

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CANADIAN CLAIM TO THE SOUTH.

5. AMBASSADOR SAID THAT THE FIRST WOULD SEEM TO BE VERY SENSIBLE, THAT HE WOULD RECOMMEND IT TO WASHINGTON. THE SECOND WOULD APPEAR TO INVOLVE SOME US RECOGNITION OF THE EXPANDED CANADIAN CLAIM. GOTLIEB ADMITTED IT MIGHT, BUT SAID THAT THE CANADIAN POSITION MIGHT BE PREJUDICED IF THE US EXERCISED ENFORCEMENT IN THE ENTIRE AREA SOUTH OF THE EQUIDISTANT LINE. AMBASSADOR OBSERVED THAT THAT COULD BE ONE COST OF CANADIAN ACTION TAKEN TODAY.

6. AMBASSADOR AND GOTLIEB AGREED THAT ENFORCEMENT OFFICIALS ON BOTH SIDES SHOULD TALK IMMEDIATELY ON MEANS OF INFORMING VESSELS AND THE PROBLEMS CONCERNING THE AREA BETWEEN THE EQUIDISTANT LINE AND THE US CLAIM TO THE NORTH.

7. ACTION REQUESTED: IF DEPARTMENT AGREES THAT EXCHANGE OF NOTES ON MAINTENANCE OF STATUS QUO ANTE REGARDING BOUNDARY CLAIMS IS DESIRABLE STEP, SUGGEST EXCHANGE BE COMPLETED TODAY IN WASHINGTON OR OTTAWA.

8. REGARDING CANADIAN PROPOSAL FOR ENFORCEMENT RESTRAINT
IN AREA BELOW EQUIDISTANCE, SUGGEST WE NOT REJECT IT
EXPLICITLY, BUT SIMPLY NOT FOLLOW IT. THIS WILL CREATE
A SITUATION ON WHICH EXSTAFF CAN SAY TO OTHER MINISTERIES
IT HAS MADE A PROPOSAL AND MEANWHILE OUR ENFORCEMENT
OFFICERS CAN PURSUE NORMAL ACTIVITIES UP TO THE EQUI-
DISTANT LINE.

9. CLEARLY THE ENFORCEMENT OFFICERS ON BOTH SIDES SHOULD
BE IN IMMEDIATE CONTACT WITH EACH OTHER ON OTHER ENFORCE-
MENT ISSUES. ENDERS.

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